

reapplied by repeatedly applying and moving the template along the length of the intended ornamentation. Applicant has amended Claim 1 to more clearly recite that Applicant's apparatus can be applied across the entire working surface for which a person desires to transfer the design and that it is not necessary to repeatedly remove and reapply Applicant's apparatus to transfer the design across the working surface. Applicant's apparatus can be dispensed such that it covers the entire working surface where the image transfer is to occur. Accordingly, Applicant believes that Claim 1 is in condition for allowance and Claim 3, as depending from allowable Claim 1, is also in condition for allowance.

C. Rejection Under 35 U.S.C. § 103

In Paragraph 5 of the Office Action, the Examiner rejected Claims 2 and 4-9 as being obvious over Ogorzalek in view of Murphy et al., U.S. Patent No. 6,312,872. Claims 2, 4 and 5, depend from Claim 1, which, for the reasons stated above, is believed to be allowable. Therefore, Claims 2, 4 and 5 are likewise allowable.

Claim 6 is an independent claim and Claims 7-9 depend therefrom. Applicant respectfully traverses the Examiner's rejection that Claim 6 is obvious over Ogorzalek in view of Murphy. The Examiner acknowledges that Ogorzalek does not teach or suggest that a plurality of designs repeat along a portion of the mask, but points to Murphy to teach such limitation. Applicant, however, respectfully disagrees with the Examiner that Murphy teaches that a plurality of designs repeat along a portion of the mask.

Murphy teaches preparing composite printing elements by transferring a computer-generated negative onto the surface of a cylindrical printing element. Unlike Applicant's invention, the image is transferred to the printing element through the use of a computer, by placing a computer-generated negative onto photocurable elements of the cylindrical printing element. Since the image is being transferred onto the printing element, the printing element

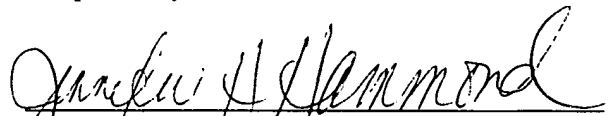
cannot be analogized to the mask of Applicant's invention. If anything, the more proper analogy would be treating the cylindrical printing element as the working surface onto which the image is to be transferred. Murphy does not teach transferring an image onto a working surface by means of a mask having a plurality of precut designs, rather Murphy teaches image transfer through the use of placing computer-generated negatives on a printing element. Murphy is therefore not analogous art in that it does not teach image transfer through the use of applying masks to a surface, let alone using a mask that has a plurality of precut designs. For these reasons, it is believed that Ogorzalek in view of Murphy does not render Claim 6 obvious, nor any claim dependent therefrom.

CONCLUSION

In view of all the corresponding amendments and remarks, Applicant requests that the Examiner withdraw all objections to the specification, drawings and claims and place this Application in condition for allowance.

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Respectfully submitted,


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1. (Amended) A masking apparatus for transferring an image to a working surface, comprising:

(a) a mask having an outer surface and an inner surface; said inner surface having an adhesive disposed thereon;

(b) a backing removably affixed to said mask at said inner surface;

(c) a plurality of designs formed in said mask;

(d) said mask adapted to be removably attached to said working surface at said inner surface; and

(e) said apparatus selectively dispensable to continuously cover [a predetermined] the entire portion of [said] the working surface where the image is to be transferred such that the apparatus does not have to be repeatedly applied after each use to achieve the image transfer along the working surface.

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